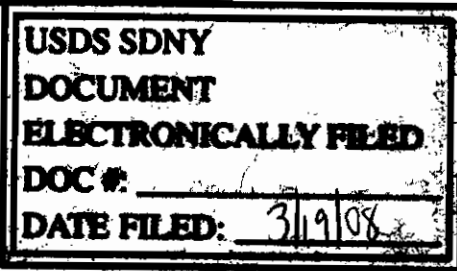


DISTRICT ATTORNEY

OF THE
COUNTY OF NEW YORK
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(212) 335-9000



ROBERT M. MORGENTHAU
DISTRICT ATTORNEY



March 18, 2008

MEMO ENDORSED

BY HAND

Honorable Colleen McMahon
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street, Room 640
New York, New York 10007

Colleen McMahon
3/19/08

Re: Wells v. Ricks
07 Civ. 6982 (CM) (AJP)

Your Honor:

Under an agreement with the New York State Attorney General's office, the District Attorney, New York County will be representing the interests of the respondent in the above-captioned matter, a 28 U.S.C. section 2254 proceeding.

On February 26, 2008, Petitioner's counsel requested and received from this Court an extension until March 27, 2008 to file objections to Magistrate Judge Andrew J. Peck's Report and Recommendations in the above-captioned matter. This extension gave the People until April 28, 2008 to file a response to Petitioner's objections.

However, the date for the People's response falls close to our April 16, 2008 June term filing deadline for the New York Appellate Division, First Department. As this is the final filing deadline for the Appellate Division, First Department prior to that court's summer recess, the People are working diligently to file as many briefs as we can in order to expedite the appeals process. This deadline comes in addition to a case I am currently briefing and expecting to argue before the New York Court of Appeals.

Hence, Respondent now respectfully requests, for the first time, a two-week extension to file a response to Petitioner's objections. Accordingly,

DISTRICT ATTORNEY COUNTY OF NEW YORK

Hon. Colleen McMahon

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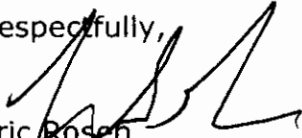
March 18, 2008

Respondent proposes, subject to Your Honor's approval, the following new schedule for briefing. Petitioner will file his objections by April 10, 2008, and Respondent will file a response to those objections by May 12, 2008.

Counsel for Petitioner has consented to this proposed schedule.

I certify that a copy of this letter is being mailed to Petitioner and Petitioner's counsel at the addresses below.

Respectfully,



Eric Rosen
Assistant District Attorney
(212) 335-9328
(212) 335-9288 (FAX)

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